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E.O. 12958: DECL: 11/09/14  
TAGS: [ETTC](#) [ECON](#) [PARM](#) [PREL](#) [KSTC](#) [TC](#)  
SUBJECT: Federal Export Control Law Stalled by  
Internal Jurisdiction Fight

Classified by Deputy Chief of Mission Richard A.  
Albright, reasons 1.5 (b) and (d).

11. (C) SUMMARY: Despite good UAEG cooperation on interdiction of WMD components, UAEG attempts to push forward on a federal export control law are currently stymied by internal struggles between federal agencies and individual emirates. Emboffs have recently received conflicting reports on the status of a draft export control law, but the overwhelming message is that the glacial progress is due to issues of jurisdiction. Most likely, there will be no progress before the end of the year. End summary.

12. (C) The UAEG has made little visible progress in drafting its export control law. At least part of the problem appears to be a dispute over jurisdiction. According to the MFA, a draft law (based on the USG template) is under technical review at the Ministry of Justice. However, MFA Director of International Cooperation, Yacoub Al-Hosani also noted that the interministerial committee responsible for the bill had not had a chance to meet to discuss issues in the bill. The committee includes not only federal government officials, but also representatives from the individual emirates some of whom have reportedly expressed concerns about local impacts of such a law. In a recent meeting with Director General of the Federal Customs Authority (FCA) Mohammed Al-Mehairi (protect), he said that he was not aware of any progress on the bill, at all. Al-Mehairi also admitted that his agency and the Ministry of Justice were engaged in jurisdictional battles over export controls and other customs issues.

¶3. (C) In recent days, Emboffs have received conflicting reports about the status or even existence of a technical draft. If there is a draft, it is with the Ministry of Justice which reviews all UAE legislation in draft form; however, this Ministry does not have the expertise on export control and customs procedures to hammer out a plausible draft without the input of other agencies.

¶4. (C) Officials have indicated that they would like to see a draft before the end of the year; however, two weeks of government closure for official mourning after the death of Sheikh Zayed and the Eid al Fitr holiday make further progress impossible until at least November 20. Post believes that we will not see major progress in drafting the law before the end of the year.

¶5. (C) Comment: The UAEG remains committed to controlling dangerous exports, as their recent informal cooperation with the USG and other members of the international community demonstrates. Unfortunately, this commitment to interdict WMD components has not translated into rapid movement on drafting a new law. Bureaucratic inertia, limited manpower, and jurisdictional disputes all contribute to the glacial progress. The last factor is possibly the most important, given the loose confederal structure of the UAE. Al-Muhairi views export controls as an important reason for the Federal Customs Authority to accumulate more responsibility and power vis-a-vis the local authority of each emirate as well as a logical extension of FCA's authority. The local emirates, especially the poorer emirates, view customs revenues as an important part of their budget. The FCA's concern is that they would resist any concentration of authority in the hands of the FCA, out of concern that this would affect thier customs revenue. Their fear is that if the FCA takes on more responsibility for enforcing customs and export control laws, it would be able to argue for a share of customs revenues to pay expenses. End comment.

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